

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEBRASKA

MICHAEL ANDREWS,)	
)	
Plaintiff,)	8:11CV279
)	
v.)	
)	
FICKELL, Officer, et al., and)	ORDER AND JUDGMENT
HANZEK, Officer, City of)	
Omaha Police Department,)	
et al.,)	
)	
Defendants.)	
_____)	

Pursuant to the Memorandum Opinion entered herein this date,

IT IS ORDERED:

1) Defendants' Motion for Summary Judgment (Filing No. [33](#)) is granted, and plaintiff's claims against Officers Fickel and Hanzek in their individual capacities are dismissed with prejudice.

2) Pursuant to the Court's orders from October 24, 2011, and January 19, 2012, plaintiff's claims against the State of Nebraska, the City of Omaha, the City of Omaha Police Department, Douglas County, Douglas County Corrections, Douglas County Sheriff, and Fickel and Hanzek in their official capacities are dismissed without prejudice.

3) Plaintiff's "Motion to Deny Summary Judgment" (Filing No. [36](#)) is denied.

4) Defendants' Motion to Quash (Filing No. [40](#)) is denied as moot.

5) The clerk's office is directed to update the Court's records to reflect that defendants' names are Robert Fickel and David Hanzek.

6) Judgment is entered in favor of defendants Robert Fickel and David Hanzek in their individual capacities, and against plaintiff Michael Andrews. Plaintiff shall take nothing and this case is dismissed with prejudice as to these defendants.

7) Plaintiff's claims against the State of Nebraska, the City of Omaha, the City of Omaha Police Department, Douglas County, Douglas County Corrections, Douglas County Sheriff, and Fickel and Hanzek in their official capacities are dismissed without prejudice.

DATED this 16th day of May, 2013.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court